



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)

Philip George Ellis)

Group Art Unit: 3725

Application Number: 09/786,739)

Examiner: D. CRANE

Filed: October 15, 2001)

For: BUILDING FRAME MEMBER AND)
METHOD OF CONSTRUCTION)

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1/20/04

REQUEST FOR ONE-MONTH EXTENSION OF TIME TO RESPOND AND RESPONSE TO
NOTICE OF NON-COMPLIANT AMENDMENT UNDER 37 C.F.R. §1.121

I hereby certify that this paper is being deposited with the
United States Postal Service as first class mail in an envelope
addressed to: Commissioner for Patents, P.O. Box 1450, Arlington,
VA 22313-1450

12/31/03

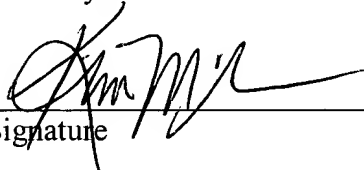
Date of Deposit

Kimberly J. McGraw

Attorney Name

50,994

PTO Registration No


Signature

12/31/03

Date of Signature

Commissioner of Patents
U.S. Patent & Trademark Office
Washington, D.C. 20231

Sir:

In response to the Notice of Non-Compliant Amendment mailed November 4, 2003,
Applicant respectfully requests that the Examiner reconsider the above-captioned patent
application in view of the following:

Request for one-month extension of time begins on page 2 of this paper.

Amendments to the claims begin on page 3 of this paper.

Request for One-Month Extension of Time to Respond:

Applicant respectfully requests a one-month extension of time for responding to the Office Action mailed November 4, 2003, with respect to the above-captioned patent application, up to and including January 4, 2003. Please charge the \$110 large entity fee for a one-month extension of time, and any other fees associated with this responsive amendment, to the undersigned's Deposit Account No. 02-4377.

Please type a plus sign (+) inside this box → ☐**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/786,739
Filing Date	October 15, 2001
First Named Inventor	Philip George Ellis
Group Art Unit	3725
Examiner Name	D. Crane
Attorney Docket Number	A34093 PCT USA 072142.0117

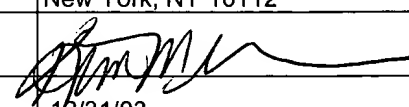
Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment / Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input checked="" type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/Incomplete Application
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)
<input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Response to Notice of non-Compliant Amendment Under 37 C.F.R. §1.121 and Return Receipt Postcard |
|---|---|---|

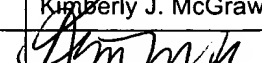
Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112	Att Name: Kimberly J. McGraw PTO Reg: 50,994
Signature		
Date	12/31/03	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this date: 12/31/03

Typed or printed name	Kimberly J. McGraw	Date	12/31/03
Signature			

BAKER BOTTS LLP

JAN 06 2004

FEE TRANSMITTAL for FY 2003

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$110)

Complete if Known

Application Number	09/786,739
Filing Date	October 15, 2001
First Named Inventor	Philip George Ellis
Examiner Name	D. Crane
Art Unit	3725
Attorney Docket No.	A34093 PCT USA 072142.0117

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:
 Deposit
Account
Number
Deposit
Account
Name

02-4377

Baker Botts LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee required under 37CFR 1.16 and 1.17☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent Claims	- 20 =	0	X		=	0	
Multiple Dependent	- 3 =	0	X		=	0	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	110
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$110)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)

Kimberly J. McGraw

Registration No.

50,994

Telephone 212-408-2502

Signature

Date 12/31/03

RECEIVED

JAN 13 2004

TECHNOLOGY CENTER R3700



BAKER BOTTS LLP

Attorney Docket Number: A34093 PCT USA 072142.0117

Title: BUILDING FRAME MEMBER AND METHOD OF CONSTRUCTION

Use Space Below for Additional Information: